

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

UNITED STATES OF AMERICA,)	
)	
Plaintiff,)	
)	
v.)	Case Nos. 10 CR 961 and 11 CR 299
)	
VERNON CHAPMAN,)	
)	
Defendant.)	

MEMORANDUM ORDER

On May 12, 2014 the criminal jury trial against Vernon Chapman ("Chapman") concluded with a verdict that found him guilty on all seven counts of the superseding indictment and further found that there were at least 28 grams but fewer than 280 grams of a mixture or substance containing the cocaine base charged in Count Seven of that superseding indictment. This Court then entered judgment in accordance with the jury verdict. Counts One through Six of the superseding indictment had superseded the original indictment in United States v. Chapman and Moneyham, 11 CR 299 (initially assigned to this Court's colleague Honorable James Zagel), while the last of those seven counts had superseded the single count in the original indictment in United States v. Chapman, 10 CR 961 (initially and presently assigned to this Court's calendar).

Those new count designations were confirmed by a stipulation among (1) Assistant United States Attorneys Maribel Fernandez-Harvath and Matthew Madden on behalf of the government and (2) Chapman's counsel Bart Beals and Chapman himself. Because that superseding indictment and the jury's guilty verdict confirm that the original indictments, which have still been pending because they were not formally dismissed (see, e.g., United States v.

Balisterieri, 779 F. 2d 1191, 1226-27 (7th Cir. 1985)), would potentially subject defendant Chapman to double jeopardy if the government sought to pursue them (though it had no intention to do so), those original indictments are now ordered formally dismissed. Finally, these actions are referred to the United States Probation Office for a presentence investigation report, with the sentencing hearing set for August 19, 2014 at 1:30 p.m.



Milton I. Shadur
Senior United States District Judge

Date: May 14, 2014